

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 6/18/2024

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VIAHART, LLC,	:	
	:	
Plaintiff,	:	1:20-cv-9943-GHW
	:	
-v-	:	<u>ORDER</u>
	:	
CREATIVE KIDS ONLINE, LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

As stated on the record during the June 18, 2024 teleconference, Plaintiff's motions in limine are granted in part and denied in part, Dkt. No 212, and Defendants' motions in limine are granted in part and denied in part, Dkt. No. 218. In connection with these rulings, the Court also directed the parties as follows:

- (1) Plaintiff's application for fees and costs in connection with its sixth motion in limine is due June 24, 2024. Defendants' opposition is due June 28, 2024. Plaintiff's reply, if any, is due July 1, 2024.
- (2) Any supplemental briefing from Defendants regarding any additional arguments to any portion of Plaintiff's currently labeled Exhibit 27 is due no later than June 25, 2024.

Separately, as also stated at the June 18 conference, the Court further directs the parties as follows:

- (1) The parties' addendum to the proposed description of the law reflecting a description of Defendants' counterclaims must be filed no later than June 19, 2024 at 3:00 p.m. The parties' proposed changes to the Court's proposed voir dire, description of the case, and description of the law remain due no later than June 21,

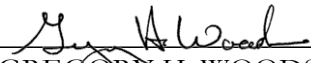
2024. *See* Dkt. No. 248.

- (2) Defendants must provide an amended exhibit list to Plaintiff by June 18, 2024.
- (3) Defendants must provide opposing counsel and the Court with an updated set of exhibits, which shall be properly marked as directed in the Court's Individual Rules of Practice in Civil Cases, by no later than June 20, 2024.
- (4) Plaintiff's revised exhibit list and set of exhibits must be submitted no later than June 20, 2024.
- (5) Plaintiff's deadline for objections to Defendants' exhibits is extended to June 21, 2024.
- (6) Plaintiff has withdrawn any designation of Mr. Hart as an expert witness, Dkt. No. 251, and has requested that the June 21 conference be canceled. The *Daubert* hearing scheduled for June 21, 2024 regarding any anticipated expert testimony by Mr. Molson Hart is canceled. For the avoidance of doubt, the Court reserves ruling on whether Mr. Hart is permitted to testify regarding Defendants' costs and profits as a lay witness.

The Clerk of Court is directed to terminate the motions at Dkt. Nos. 212, 218.

SO ORDERED.

Dated: June 18, 2024
New York, New York



GREGORY H. WOODS
United States District Judge